IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.PADMANABHAN NAIR

TUESDAY, THE 9TH OCTOBER 2007 / 17TH ASWINA 1929

AS.No. 614 of 1997(C)

AGAINST THE ORDER DATED 18/10/1989 IN IA 236/89 IN IA 208/89 IN OS.13/1989 of SUB COURT, OTTAPPALAM

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APPELLANT/CLAIM PETITIONER:

M.SAJJANRAJ NAHAR & SONS,
AUTOMOBILE FINANCIER, NO.27, MAIN ROAD,
METTUPALAYAM-641 301, REPRESENTED BY ITS
SPECIAL POWER OF ATTORNEY HOLDER K.SUNDAR,
SON OF K.KRISHNAN, RESIDING AT 4c-7,
JAGANATHA LAY OUT, METTUPALAYAM-641 301.

BY ADV. SRI.P.R.VENKATESH

RESPONDENTS/CR.PETITIONERS/PLAINTIFF/2ND DEFENDANT:

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1. KUNHAPPA, RESIDING AT NELLIPUZHAKKAL,
   ARAKURUSSI AMSOM, MANNARGHAT TALUK.

2. CHOYI, S/O.CHOYIKUTTY, MANNARGHAT VILLAGE,
   MANNARGHAT TALUK.

THIS APPEAL SUITS HAVING BEEN FINALLY HEARD ON 09/10/2007,THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.PADMANABHAN NAIR, J.

A.S. NO. 614 OF 1997

Dated this the 9th day of October, 2007

J U D G M E N T

In spite of the conditional order passed by me on 24.9.07 to take steps to issue notice to respondents 1 and 2, no steps have been taken till date. So the appeal, so far as it relates to respondents 1 and 2, is to be dismissed. Without respondents 1 and 2 on the party array, no effective adjudication can be made in this appeal. Therefore, the appeal itself is to be dismissed for non-prosecution.

Accordingly the appeal is dismissed.

K.PADMANABHAN NAIR, JUDGE

vps

K.PADMANABHAN NAIR, J.

A.S. NO.614 OF 1997

JUDGMENT

9th day of October, 2007